

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NACHATTAR KAUR GARCIA,

Plaintiff,

v.

KILOLO KIJAKAZI, Action
Commissioner of Social Security,¹

Defendant.

No. 1:21-cv-00427-JLT-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Docs. 24, 27)

Plaintiff Nachattar Kaur Garcia, through counsel, commenced this Social Security action on March 15, 2021. (Doc. 1.) On January 14, 2022, pursuant to the parties' stipulation, the Court entered an order remanding the action for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and entered judgment for Plaintiff. (Docs. 22, 23.) On April 14, 2022, Plaintiff moved for an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. 24.) Defendant filed a statement indicating no objection to the motion. (Doc. 26.)

On May 16, 2022, the assigned magistrate judge issued Findings and Recommendations recommending that Plaintiff's motion for attorneys' fees and expenses under EAJA be granted

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit.

1 and Plaintiff be awarded fees in the total amount of \$1,542.71. (Doc. 27 at 6.) The magistrate
2 judge also recommended that if the government determines that Plaintiff does not owe a federal
3 debt that qualifies for offset, then the fee award be made payable to Plaintiff's counsel pursuant to
4 Plaintiff's assignment of her interest in the fee award. (*Id.*) Those findings and recommendations
5 were served on the parties and contained notice that any objections thereto were to be filed within
6 fourteen (14) days after service. (*Id.*) No objections were filed, and the time in which to do so
7 has passed.

8 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court conducted a *de*
9 *novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the
10 Findings and Recommendations are supported by the record and proper analysis. Thus, the Court

11 **ORDERS:**

12 1. The Findings and Recommendations issued on May 16, 2022 (Doc. 27) are

13 **ADOPTED** in full;

14 2. Plaintiff is **AWARDED** fees in the total amount of \$1,542.71 pursuant to EAJA;
15 and

16 3. If the government determines that Plaintiff does not owe a federal debt that
17 qualifies for offset, then the fee award shall be made payable to Plaintiff's counsel pursuant to
18 Plaintiff's assignment of her interest in the award.

19
20 IT IS SO ORDERED.

21 Dated: **June 7, 2022**


UNITED STATES DISTRICT JUDGE